

**Heber City Corporation
City Council Meeting
June 5, 2014**

7:00 p.m.

REGULAR MEETING

The Council of Heber City, Wasatch County, Utah, met in **Regular Meeting** on June 5, 2014, in the City Council Chambers at 75 North Main Street, Heber City, Utah.

Present:

Mayor
Council Members

Alan W. McDonald
Robert Patterson
Jeffery Bradshaw
Erik Rowland
Heidi Franco
Kelleen Potter

Also Present:

City Manager
City Recorder
City Engineer
Planning Director
Chief of Police

Mark K. Anderson
Michelle Kellogg
Bart Mumford
Anthony Kohler
David Booth

Others Present: Devin McKrola, Rick Kellogg, Annie McMullen, Tracy Taylor and others whose names were illegible.

Mayor McDonald opened the meeting and welcomed those in attendance.

Pledge of Allegiance: Mayor Alan McDonald

Prayer: Council Member Kelleen Potter

Minutes: May 15, 2014, Work and Regular Meetings
May 24, 2014, Special Budget Meeting

Council Member Patterson moved to approve the above listed minutes. Council Member Franco seconded the motion. Voting Aye: Council Members Patterson, Bradshaw, Rowland, Franco and Potter.

OPEN PERIOD FOR PUBLIC COMMENT

Mayor McDonald asked for comments from those in the audience who wished to address the Council. No comments were given.

APPOINTMENTS

Item 1 – Mayor’s Award, Michelle Kellogg: Mayor McDonald recognized Michelle Kellogg for her efforts in obtaining her Professional in Human Resources certification, and noted the “little things” she did for the employees and the City. He then presented her with a check.

Item 2 – Annie McMullen, Community Garden Update: McMullen passed out some pictures of the Community Garden and reviewed its history. She stated Eagle Scout projects helped develop the garden into what it was currently, with raised beds and pathways. All the work was volunteered. McMullen promoted the garden through various formats in the community. She was concerned about the deer threat to the garden. She asked the County for a donation toward fencing but hadn't heard back from them yet. The fencing cost would range from \$1,800-\$7,400, depending on the type of fence chosen. McMullen listed other items on her wish list for the garden as well. Council Member Patterson thought a Community Garden sign would look nice. Council Member Rowland asked how McMullen would choose patrons in future years. McMullen felt the loyal gardeners should have first pick, and then first come first serve. Anderson stated the request for fencing should come to the Council in February of next year during the budget process. He stated he would like to see the garden pay its own way. McMullen stated she felt the City could charge more for the plots. Mayor McDonald was in favor of keeping the fees down for low income families interested in gardening. Council Member Rowland suggested a Boy Scout could raise money for the fencing and the City could then match those funds.

ACTION ITEMS

Item 3 - Devin McKrola, Central Utah Water Conservancy District (CUWCD), Wasatch County Water Efficiency Project Update: McKrola indicated he was the manager of the project. He stated the primary purpose of the CUWCD was to develop water from the Colorado River Basin and bring it to Wasatch County for culinary and irrigation uses. He reviewed several projects that had recently been completed, including lining a canal and replacing a culvert plugged with roots.

New projects included building regulating ponds to help with the irrigation demand. Council Member Franco asked where the funding came from for the new ponds. McKrola responded that the funding came from water users and from the water district. He indicated the ponds would be built out to the max but it would happen over time.

McKrola indicated in wet years delivery levels were low, but in dry years the delivery levels were high. He tried to keep costs down. The CUWCD planned to deliver 1.2 billion gallons of water into Heber City's irrigation system this year. Council Member Franco asked if there was a need for limiting residents' watering use. McKrola stated it would be wise to regulate the use but he did not see a need to reduce or stop the water use.

Tracy Taylor asked about the effluent water from Jordanelle. McKrola indicated there were no regulations concerning effluent water. Annie McMullen asked if the CUP was allowed to use Colorado River water because it was in Wasatch County. McKrola stated the State of Utah was given a certain percentage of the Colorado River water and the CUP was the agency that developed the water and brought it to the Wasatch Front and the Provo River. He noted the conserved water from lining the canals was stored in Jordanelle Reservoir and was released to protect owners along the Provo River and also to restore the rivers to their natural flow.

Item 4 – Approve Resolution 2014-07, a Resolution Amending the Heber City Personnel Policy: Section 6.1, Educational Assistance; Section 11.3, Procedures; and Section 13.7, Merit Salary Adjustment: Council Member Potter moved to approve Resolution 2014-07, a resolution amending the Heber City Personnel Policy: Section 6.1, Educational Assistance;

Section 11.3, Procedures; and Section 13.7, Merit Salary Adjustment. Council Member Patterson seconded the motion.

Voting Aye: Council Members Patterson, Bradshaw, Rowland, Franco and Potter.

Item 5 – Approve Ordinance 2014-15, an Ordinance amending the Heber City Municipal Code Section 18.68.601, Residential Facility for Handicapped Persons; Section 18.68.602, Handicapped Residential Facilities as a Permitted Use; Section 18.68.603, Approval of Handicapped Residential Facilities; Section 18.68.604, Handicapped Residential Facilities in Areas Zoned Exclusively for Single-Family Dwellings; Section 18.68.605, Review and Approval; Section 18.68.606, Definitions: Tony Kohler indicated a group home requested locating in Heber and in doing research, he found the City Code was deficient in this area. To rectify this deficiency, the Planning Commission recommended changing the Code as set forth in this ordinance. Council Member Franco was concerned that 16 persons in a 2,000 square foot home might be too limited a space and suggested limiting occupancy based on so many square feet per person. Kohler thought adding language that stated, for example, 200 square feet per person might be one way to limit the amount of occupants per home.

Council Member Franco asked if Kohler had looked at other cities' ordinances. Kohler stated most of the cities had the same language as Heber's current ordinance. Council Member Franco asked if the City should require minimum bathrooms and kitchen space, etc. Kohler stated he preferred to let the State regulate that and the City ordinance could control square footage as Council Member Franco had suggested. He suggested amending the proposed ordinance to indicate a maximum of eight persons per household. Mayor McDonald asked if the ordinance would put illegal restrictions on businesses. Kohler stated that was a good point in that other single family residences weren't monitored and restricted. Regarding a supervisory requirement, Kohler was advised that the State should be the regulator in that area.

Council Member Franco moved to continue proposed Ordinance 2014-15 until Kohler and Smedley could further research this item and bring back a recommendation. Council Member Potter seconded the motion.

Voting Aye: Council Members Patterson, Bradshaw, Rowland, Franco and Potter.

Item 6 – Declare Lots 3 and 4, Habitat for Humanity Lot Split Subdivision Located at 300 North 400 West as Surplus Property: Council Member Potter moved to declare Lots 3 and 4, Habitat for Humanity Lot Split Subdivision as surplus property. Council Member Rowland seconded the motion.

Voting Aye: Council Members Patterson, Bradshaw, Rowland, Franco and Potter.

Item 7 - Appointments to the Airport Advisory Board: Mayor McDonald brought forward Ron Phillips' name for appointment to the Airport Advisory Board. Council Member Rowland moved to approve the appointment of Ron Phillips to the Airport Advisory Board. Council Member Potter made the second. Council Member Franco stated she would prefer to talk to Mr. Phillips prior to appointing him.

Voting Aye: Council Members Patterson, Bradshaw, Rowland and Potter. Council Member Franco abstained.

Council Member Patterson moved to go into Closed Session at 8:36 p.m. for the purpose of discussing the purchase, exchange or sale of real property. Council Member Bradshaw seconded the motion.

Voting Aye: Council Members Patterson, Bradshaw, Rowland, Franco and Potter.

Upon adjournment of the Closed Session, the Regular City Council Meeting was adjourned.

Michelle Kellogg, City Recorder

APPROVED 07-03-2014